

7/Election
+A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edith Mathiowitz, Yong S. Jong, and Jules S. Jacob

Serial No.: 09/760,046

Group Art Unit: 1615

Ref
4-8-02

Filed: January 12, 2001

Examiner: A. E. Pulliam

For: *MICRONIZED FREEZE-DRIED PARTICLES*Assistant Commissioner for Patents
Washington, D.C. 20231**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Enclosed is a Revocation and Appointment of Power of Attorney. Please
address all future correspondence to:

Patrea L. Pabst
Holland & Knight LLP
One Atlantic Center Suite 2000
1201 W. Peachtree Street
Atlanta, GA 30309-3400
Phone (404) 817-8473
Fax (404) 817-8588

The Restriction Requirement mailed March 22, 2002, divided the claims into
the following two groups:

I. Claims 1-26, drawn to a method for making dry, micronized particles of an
agent, classified in class 424, subclass 489 and 490; and

U.S.S.N. 09/760,046.

Filed January 12, 2001

RESPONSE TO RESTRICTION REQUIREMENT

II. Claims 17-33, drawn to a polymeric or macromolecular composition comprising particles of a bioactive agent, and a method of enhancing delivery of a bioactive agent, classified in class 514, subclass 2.

Responsive to the Restriction Requirement, applicants elect GROUP 1, claims 1-26. Please cancel claims 27-33.

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: April 4, 2002
HOLLAND & KNIGHT, LLP
2000 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3400
404-817-8473
404-817-8588 (Fax)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the enclosed Response to Restriction Requirement and all documents shown as being attached is being facsimile transmitted to the U. S. Patent and Trademark Office on the date shown below.

Date: April 4, 2002


Jean Hicks

ATL1 #518026 v1

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/760,046
Filing Date	January 12, 2001
First Named Inventor	Edith Mathiowitz
Group Art Unit	1615
Examiner Name	A. E. Pulliam
Attorney Docket Number	BU 111

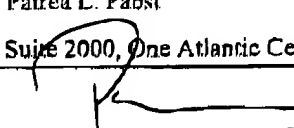
Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
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<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
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<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Statement under 37 CFR 3.73(b) |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patrea L. Pabst Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400	Holland & Knight LLP
Signature		
Date	April 4, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 4, 2002

Typed or printed name	SEE CERTIFICATE OF FACSIMILE TRANSMISSION		
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PTO/SB/17 (11-01)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) -0-

Complete If Known

Application Number	09/760,046
Filing Date	January 12, 2001
First Named Inventor	Edith Mathiowitz
Examiner Name	A. E. Pulliam
Group Art Unit	1615
Attorney Docket No.	BU 111

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
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Holland & Knight LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) -0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
26	1		33	0	0
			3	0	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) -0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,620	147	2,620	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
116	110	216	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,060	228	530	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	820	244	410	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	60	123	60	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.128(b))	
178	740	278	370	Request for Continued Examination (RCE)	
168	900	168	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) -0-

SUBMITTED BY

Name (Print/Type) Patrea L. Palst

Registration No. (Attorney/Agent)

31.284

Complete (if applicable)

Telephone

(404) 817-8473

Signature

Date

April 4, 2002

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Group 1600 Before Final	Assistant Commissioner for Patents	703-308-2742
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Washington	DC	703-306-3470
CITY	STATE	(TELEPHONE NUMBER)

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Patrea L. Pabst	404-817-8473	8
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MESSAGE:

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